

1 NOV 25 2016



November 21, 2016

**VIA U.S. CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

Rick Dapelo, Owner  
Quality Stainless Tanks  
510 Caletti Ave,  
Windsor, CA 95492

Sean Headden, Operations Manager  
Quality Stainless Tanks  
510 Caletti Ave,  
Windsor, CA 95492

**RE: NOTICE OF VIOLATIONS AND INTENT TO FILE SUIT UNDER THE FEDERAL WATER POLLUTION CONTROL ACT ("CLEAN WATER ACT") (33 U.S.C. §§ 1251 *et seq.*)**

Dear Mr. Dapelo & Mr. Headden,

This firm represents California Sportfishing Protection Association ("CSPA"), a California non-profit association, in regard to violations of the Clean Water Act ("CWA" or "the Act") occurring at Quality Stainless Tanks' manufacturing facility at 510 Caletti Ave, Windsor, CA (the "Facility"). This letter is being sent to you as the responsible owners, officers, and/or operators of the Facility. Unless otherwise noted, Quality Stainless Tanks shall hereinafter be referred to as "QST," and Rick Dapelo and Sean Headden shall hereinafter be collectively referred to as the "Owners/Operators." CSPA is a non-profit association dedicated to the preservation, protection, and defense of the environment, wildlife, and natural resources throughout the state of California, including the Russian River Basin, and Pruitt Creek, into which QST discharges polluted storm water.

QST is in ongoing violation of the substantive and procedural requirements of the CWA, 33 U.S.C. § 1251 *et seq.*; and California's General Industrial Storm Water Permit, National Pollution Discharge Elimination System ("NPDES") General Permit No. CAS000001 ("General Permit"), Water Quality Order No. 97-03-DWQ ("1997 General Permit"), as superseded by Order No. 2015-0057-DWQ ("2015 General Permit").<sup>1</sup>

The 1997 General Permit was in effect between 1997 and June 30, 2015, and the 2015 General Permit went into effect on July 1, 2015. As will be explained below, the 2015 General Permit includes many of the same fundamental requirements, and implements many of the same statutory requirements, as the 1997 General Permit.

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<sup>1</sup> QST submitted a NOI to comply with the General Permit for the Facility on or about June 23, 2015.

Violations of the General Permit constitute ongoing violations for purposes of CWA enforcement. 2015 General Permit, Finding A.6.

Pursuant to Section 309(d) of the Act (33 U.S.C. § 1319(d)) and the Adjustment of Civil Monetary Penalties for Inflation (40 C.F.R. § 19.4) each separate violation of the Act subjects QST to a penalty of up to \$37,500 per day, per violation for all violations occurring during the period commencing five years prior to the date of this Notice of Violation and Intent to File Suit. In addition to civil penalties, CSPA will seek injunctive relief preventing further violations of the Act pursuant to Sections 505(a) and (d) of the Act (33 U.S.C. §§ 1365(a), (d)) and such other relief as permitted by law. Lastly, Section 505(d) of the Act (33 U.S.C. § 1365(d)) permits prevailing parties to recover costs and fees including attorneys' fees.

The CWA requires that sixty (60) days prior to the initiation of a citizen-enforcement action under Section 505(a) of the Act (33 U.S.C. § 1365(a)), a citizen enforcer must give notice of its intent to file suit. Notice must be given to the alleged violator, the U.S. Environmental Protection Agency, and the Chief Administrative Officer of the water pollution control agency for the State in which the violations occur. See 40 C.F.R. 135.2.

As required by the Act, this letter provides statutory notice of the violations that have occurred, and continue to occur, at the Facility. 40 C.F.R. § 135.3(a). At the expiration of sixty (60) days from the date of this letter, CSPA intends to file suit under Section 505(a) of the Act (33 U.S.C. § 1365(a)) in federal court against Quality Stainless Tanks for violations of the Act and the General Permit.

## **I. Background**

### **A. The Clean Water Act**

Congress enacted the CWA in 1972 in order to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters." 33 U.S.C. § 1251. The Act prohibits the discharge of pollutants into United States waters except as authorized by the statute. 33 U.S.C. § 1311; *San Francisco Baykeeper, Inc. v. Tosco Corp.*, 309 F.3d 1153, 1156 (9th Cir. 2002). The Act is administered largely through the NPDES permit program. 33 U.S.C. § 1342. In 1987, the Act was amended to establish a framework for regulating storm water discharges through the NPDES system. Water Quality Act of 1987, Pub. L. 100-4, § 405, 101 Stat. 7, 69 (1987) (codified at 33 U.S.C. § 1342(p)); see also *Env'tl. Def. Ctr., Inc. v. EPA*, 344 F.3d 832, 840-41 (9th Cir. 2003) (describing the problem of storm water runoff and summarizing the Clean Water Act's permitting scheme). The discharge of pollutants without an NPDES permit, or in violation of a NPDES permit, is illegal. *Ecological Rights Found. v. Pac. Lumber Co.*, 230 F.3d 1141, 1145 (9th Cir. 2000).

Much of the responsibility for administering the NPDES permitting system has been delegated to the states. See 33 U.S.C. § 1342(b); see also Cal. Water Code § 13370 (expressing California's intent to implement its own NPDES permit program). The CWA authorizes states with approved NPDES permit programs to regulate industrial storm water discharges through individual permits issued to dischargers, as well as through the issuance of a single, statewide general permit applicable to all industrial storm water dischargers. 33 U.S.C. § 1342(b). Pursuant to Section 402 of the Act, the Administrator of EPA has authorized California's State Board to issue individual and general NPDES permits in California. 33 U.S.C. § 1342.

**B. California's General Permit for Storm Water Discharges Associated with Industrial Activities**

Between 1997 and June 30, 2015, the General Permit in effect was Order No. 97-03-DWQ, which CSPA refers to as the "1997 General Permit." On July 1, 2015, pursuant to Order No. 2015-0057-DWQ the General Permit was reissued, including many of the same fundamental terms as the prior permit. For the purposes of this notice letter, CSPA refers to the reissued permit as the "2015 General Permit." The 2015 General Permit rescinded in whole the 1997 General Permit, except for the expired permit's requirement that annual reports be submitted by July 1, 2015, and for purposes of CWA enforcement. 2015 General Permit, Finding A.6.

Facilities discharging, or having the potential to discharge, storm water associated with industrial activities that have not obtained an individual NPDES permit must apply for coverage under the General Permit by filing a Notice of Intent to Comply ("NOI"). 1997 General Permit, Provision E.1; 2015 General Permit, Standard Condition XXI.A. Facilities must file their NOIs before the initiation of industrial operations. *Id.*

Facilities must strictly comply with all of the terms and conditions of the General Permit. A violation of the General Permit is a violation of the CWA.

The General Permit contains three primary and interrelated categories of requirements: (1) discharge prohibitions, receiving water limitations and effluent limitations; (2) Storm Water Pollution Prevention Plan ("SWPPP") requirements; and (3) self-monitoring and reporting requirements.

**C. QST's Windsor Facility**

QST's industrial facility at Windsor consists of an outdoor welding area, metal parts storage areas, sanding and painting area, a metal saw area, raw materials receiving and storage areas, finished tank storage areas, process pond, and a 55-gallon diesel drum in a concrete dike. The industrial activities of the Facility fall under Standard Industrial Classification ("SIC") Code 3443, Fabricated Plate Work.



QST collects and discharges storm water associated with industrial activities pursuant to the General Permit through three underground storm drain pipes. The sampling sites for these discharge locations are identified in the SWPPP as W-1, W-2 and W-3. These discharges enter Pruitt Creek, which is a tributary to the Russian River. Pruitt Creek and the Russian River are waters of the United States within the meaning of the CWA. SW-5 is a further sampling site identified in the SWPPP, but it does not appear sampling has taken place at this site after 2012.

The General Permit requires QST to analyze storm water samples for Total Suspended Solids ("TSS"), pH, and Oil and Grease. 1997 General Permit, Section B.5.c.i; 2015 General Permit, Section XI.B.6. Facilities under SIC Code 3443 must also analyze storm water samples for Zinc, Nitrate and Nitrate Nitrogen, Iron, and Aluminum. 1997 General Permit, Tables 1-2; 2015 General Permit Tables 1-2.

## **II. QST's Violations of the Act and the General Permit**

Based on its review of available public documents, CSPA is informed and believes that QST is in ongoing violation of both the substantive and procedural requirements of the CWA, and the General Permit. These violations are ongoing and continuous. Consistent with the five-year statute of limitations applicable to citizen enforcement actions brought pursuant to the CWA, QST is subject to penalties for violations of the Act since November 21, 2011.

### **A. QST Discharges Storm Water Containing Pollutants in Violation of the General Permit's Discharge Prohibitions, Receiving Water Limitations, and Effluent Limitations.**

QST's storm water sampling results provide conclusive evidence of its failure to comply with the General Permit's discharge prohibitions, receiving water limitations and effluent limitations. Self-monitoring reports under the General Permit are deemed "conclusive evidence of an exceedance of a permit limitation." *Sierra Club v. Union Oil*, 813 F.2d 1480, 1493 (9th Cir. 1988).

#### **1. Applicable Water Quality Standards**

The General Permit requires that storm water discharges and authorized non-storm water discharges shall not cause or threaten to cause pollution, contamination, or nuisance. 1997 General Permit, Discharge Prohibition A.2; 2015 General Permit, Discharge Prohibition III.C. The General Permit also prohibits discharges that violate any discharge prohibition contained in the applicable Regional Water Board's Basin Plan or statewide water quality control plans and policies. 1997 General Permit, Receiving Water Limitation C.2; 2015 General Permit, Discharge Prohibition III.D. Furthermore, storm water discharges and authorized non-storm water discharges shall not adversely impact human health or the environment, and shall not cause or

contribute to a violation of any water quality standards in any affected receiving water. 1997 General Permit, Receiving Water Limitations C.1, C.2; 2015 General Permit, Receiving Water Limitations VI.A, VI.B.

Dischargers are also required to prepare and submit documentation to the Regional Board upon determination that storm water discharges are in violation of the General Permit's Receiving Water Limitations. 1997 General Permit, p. VII; 2015 General Permit, Special Condition XX.B. The documentation must describe changes the discharger will make to its current storm water best management practices ("BMPs") in order to prevent or reduce any pollutant in its storm water discharges that is causing or contributing to an exceedance of water quality standards. *Id.*

The California Toxics Rule ("CTR") is an applicable water quality standard under the Permit, violation of which is a violation of Permit conditions. *Cal. Sportfishing Prot. Alliance v. Chico Scrap Metal, Inc.*, 2015 U.S. Dist. LEXIS 108314, \*21 (E.D. Cal. 2015) CTR establishes numeric receiving water limits for toxic pollutants in California surface waters. 40 C.F.R. § 131.38. The CTR establishes a numeric limit for at least one of the pollutants discharged by QST: Zinc – 0.12 mg/L (maximum concentration).

The *Water Quality Control Plan for the North Coast Region* ("Basin Plan") also sets forth water quality standards and prohibitions applicable to QST's storm water discharges. While the Basin Plan does not specify beneficial uses for Pruitt Creek, it does identify existing and potential uses for the Russian River, to which Pruitt Creek is tributary. Thus, the existing beneficial uses for Pruitt Creek include municipal and domestic water supply, agricultural supply, industrial service supply, industrial process supply, groundwater recharge, navigation, hydropower generation, commercial and sport fishing, wildlife habitat, warm freshwater habitat, cold freshwater habitat, warm and cold spawning, migration, aquaculture, and contact and non-contact water recreation.

## **2. Applicable Effluent Limitations**

Dischargers are required to reduce or prevent pollutants in their storm water discharges through implementation of best available technology economically achievable ("BAT") for toxic and nonconventional pollutants and best conventional pollutant control technology ("BCT") for conventional pollutants. 1997 General Permit, Effluent Limitation B.3; 2015 General Permit, Effluent Limitation V.A. Conventional pollutants include Total Suspended Solids, Oil & Grease, pH, Biochemical Oxygen Demand and Fecal Coliform. 40 C.F.R. § 401.16. All other pollutants are either toxic or nonconventional. 40 C.F.R. §§ 401.15-16.

Under the General Permit, benchmark levels established by the EPA ("EPA benchmarks") serve as guidelines for determining whether a facility discharging industrial storm water has implemented the requisite BAT and BCT. *Santa Monica*

*Baykeeper v. Kramer Metals*, 619 F.Supp.2d 914, 920, 923 (C.D. Cal 2009); 1997 General Permit, Effluent Limitations B.5-6; 2015 General Permit, Exceedance Response Action XII.A.

The following EPA benchmarks have been established for pollutants discharged by QST: Total Suspended Solids – 100 mg/L; Zinc – 0.117 mg/L; Aluminum – 0.75 mg/L; Nitrate plus Nitrate Nitrogen – 0.68 mg/L; and Iron – 1 mg/L.

### 3. Quality Stainless Tanks' Storm Water Sample Results

The SWPPP prepared for QST (dated June 23, 2016) reported exceedances of water quality standards in 2010, 2011 and 2012 for Aluminum, Copper, Iron, Lead, Zinc, Nitrate, Conductivity, and Total Suspended Solids. Further testing undertaken on February 6, 2015, found exceedances for Aluminum, Iron, Zinc, Nitrate, Conductivity, and Total Suspended Solids.

The following discharges of pollutants from the Facility have violated the discharge prohibitions, receiving water limitations, and effluent limitations of the permit.

#### a. Discharge of Storm Water Containing Total Suspended Solids (TSS) at Concentrations in Excess of Applicable EPA Benchmark Value

Date	Discharge Point	Parameter	Concentration in Discharge (mg/L)	EPA Benchmark Value (mg/L)
1/19/2012	SW-5	TSS	570	100
2/16/2015	W-1	TSS	1300	100
2/16/2015	W-2 & W-3 composite	TSS	110	100
2/16/2015	W-2 & W-3 composite	TSS	110	100
1/29/2016	W-2 & W-3 composite	TSS	220	100
1/29/2016	W-2 & W-3 composite	TSS	220	100
3/4/2016	W-1	TSS	290	100
3/4/2016	W-2 & W-3 composite	TSS	190	100
3/4/2016	W-2 & W-3 composite	TSS	190	100



**b. Discharges of Storm Water Containing Zinc (Zn) at Concentrations in Excess of Applicable EPA Benchmark and CTR Values**

Date	Discharge Point	Parameter	Concentration in Discharge (mg/L)	EPA Benchmark Value (mg/L)	CTR Criteria (mg/L)
1/19/2012	SW-5	Zn	0.45	0.117	0.12
2/6/2015	W-1	Zn	1.8	0.117	0.12
2/6/2015	W-2 & W-3 composite	Zn	0.22	0.117	0.12
2/6/2015	W-2 & W-3 composite	Zn	0.22	0.117	0.12
1/29/2016	W-1	Zn	0.16	0.117	0.12
1/29/2016	W-2 & W-3 composite	Zn	0.23	0.117	0.12
1/29/2016	W-2 & W-3 composite	Zn	0.23	0.117	0.12
3/4/2016	W-1	Zn	0.41	0.117	0.12
3/4/2016	W-2 & W-3 composite	Zn	0.22	0.117	0.12
3/4/2016	W-2 & W-3 composite	Zn	0.22	0.117	0.12

**c. Discharges of Storm Water Containing Iron (Fe) at Concentrations in Excess of Applicable EPA Benchmark Value**

Date	Discharge Point	Parameter	Concentration in Discharge (mg/L)	EPA Benchmark Value (mg/L)
1/19/2012	SW-5	Fe	27	1.0
2/6/2015	W-1	Fe	53	1.0
2/6/2015	W-2 & W-3 composite	Fe	9.3	1.0
2/6/2015	W-2 & W-3 composite	Fe	9.3	1.0
12/9/2015	W-1	Fe	2.3	1.0

12/9/2015	W-2 & W-3 composite	Fe	6.2	1.0
12/9/2015	W-2 & W-3 composite	Fe	6.2	1.0
1/29/2016	W-1	Fe	7.3	1.0
1/29/2016	W-2 & W-3 composite	Fe	14	1.0
1/29/2016	W-2 & W-3 composite	Fe	14	1.0
3/4/2016	W-1	Fe	24	1.0
3/4/2016	W-2 & W-3 composite	Fe	12	1.0
3/4/2016	W-2 & W-3 composite	Fe	12	1.0

**d. Discharges of Storm Water Containing Nitrate plus Nitrate Nitrogen (N + N) at Concentrations in Excess of Applicable EPA Benchmark Value**

Date	Discharge Point	Parameter	Concentration in Discharge (mg/L)	EPA Benchmark Value (mg/L)
1/19/2012	SW-5	N + N	6.2	0.68
2/6/2015	W-1	N + N	7.65	0.68
2/6/2015	W-2 & W-3 composite	N + N	0.88	0.68
2/6/2015	W-2 & W-3 composite	N + N	0.88	0.68
12/9/2015	W-1	N + N	35.19	0.68
1/29/2016	W-1	N + N	0.87	0.68
12/9/2016	W-2 & W-3 composite	N + N	1.3	0.68
12/9/2016	W-2 & W-3 composite	N + N	1.3	0.68
3/4/2016	W-1	N + N	4.67	0.68



**e. Discharges of Storm Water Containing Aluminum (Al) at Concentrations in Excess of Applicable EPA Benchmark Value**

Date	Discharge Point	Parameter	Concentration in Discharge (mg/L)	EPA Benchmark Value (mg/L)
1/19/2012	SW-5	Al	18	0.75
2/6/2015	W-1	Al	29	0.75
2/6/2015	W-2 & W-3 composite	Al	6.7	0.75
2/6/2015	W-2 & W-3 composite	Al	6.7	0.75
3/4/2016	W-1	Al	14	0.75
1/29/2016	W-2 & W-3 composite	Al	6.3	0.75
1/29/2016	W-2 & W-3 composite	Al	6.3	0.75
3/4/2016	W-2 & W-3 composite	Al	5.9	0.75
3/4/2016	W-2 & W-3 composite	Al	5.9	0.75
12/9/2015	W-2 & W-3 composite	Al	5	0.75
12/9/2015	W-2 & W-3 composite	Al	5	0.75
1/29/2016	W-1	Al	4.4	0.75
12/9/2015	W-1	Al	1.5	0.75

**f. QST's Sample Results Are Evidence of Violations of the General Permit**

QST's sample results demonstrate violations of the General Permit's discharge prohibitions, receiving water limitations, and effluent limitations set forth above. CSPA is informed and believes that the QST has known that its storm water contains pollutants at levels exceeding General Permit standards since at least November 21, 2011.

CSPA alleges that such violations occur each time storm water discharges from the Facility. Attachment A hereto, sets forth the specific rain dates on which CSPA alleges that QST has discharged storm water containing impermissible levels of TSS, Zn, Fe, Al and N + N in violation of the General Permit. 1997 General Permit, Discharge

Prohibition A.2, Receiving Water Limitations C.1 and C.2; 2015 General Permit, Discharge Prohibitions III.C and III.D, Receiving Water Limitations VI.A, VI.B.

#### **4. QST Has Failed to Implement BAT and BCT**

Dischargers must implement BMPs that fulfill the BAT/BCT requirements of the CWA and the General Permit to reduce or prevent discharges of pollutants in their storm water discharges. 1997 General Permit, Effluent Limitation B.3; 2015 General Permit, Effluent Limitation V.A. To meet the BAT/BCT standard, dischargers must implement minimum BMPs and any advanced BMPs set forth in the General Permit's SWPPP Requirements provisions where necessary to reduce or prevent pollutants in discharges. See 1997 General Permit, Sections A.8.a-b; 2015 General Permit, Sections X.H.1-2.

QST has failed to implement the minimum BMPs required by the General Permit, including: good housekeeping requirements; preventive maintenance requirements; spill and leak prevention and response requirements; material handling and waste management requirements; erosion and sediment controls; employee training and quality assurance; and record keeping. 1997 General Permit, Sections A.8.a(i-x); 2015 General Permit, Sections X.H.1(a-g).

QST has further failed to implement advanced BMPs necessary to reduce or prevent discharges of pollutants in its storm water sufficient to meet the BAT/BCT standards, including: exposure minimization BMPs; containment and discharge reduction BMPs; treatment control BMPs; or other advanced BMPs necessary to comply with the General Permit's effluent limitations. 1997 General Permit, Section A.8.b; 2015 General Permit, Sections X.H.2.

Each day the Owners/Operators have failed to develop and implement BAT and BCT at the Facility in violation of the General Permit is a separate and distinct violation of Section 301(a) of the CWA (33 U.S.C. § 1311(a)). The violations described above were at all times in violation of Section A of the 1997 General Permit, and Section X of the 2015 General Permit. Accordingly, the Owners/Operators have been in violation of the BAT and BCT requirements at the Facility every day since at least November 21, 2011.

#### **5. QST Has Failed to Develop and Implement an Adequate Storm Water Pollution Plan**

The General Permit requires dischargers to develop and implement a site-specific SWPPP. 1997 General Permit, Section A.1; 2015 General Permit, Section X.A. The SWPPP must include, among other elements: (1) the facility name and contact information; (2) a site map; (3) a list of industrial materials; (4) a description of potential pollution sources; (5) an assessment of potential pollutant sources; (6) minimum BMPs;

(7) advanced BMPs, if applicable; (8) a monitoring implementation plan; (9) annual comprehensive facility compliance evaluation; and (10) the date that the SWPPP was initially prepared and the date of each SWPPP amendment, if applicable. See *id.*

Dischargers must revise their SWPPP whenever necessary and certify and submit via the Regional Board's Storm Water Multiple Application and Report Tracking System ("SMARTS") their SWPPP within 30 days whenever the SWPPP contains significant revisions(s); and, certify and submit via SMARTS for any non-significant revisions not more than once every three (3) months in the reporting year. 2015 General Permit, Section X.B; see also 1997 General permit, Section A.

CSPA's investigation indicates that QST has been operating with an inadequately developed or implemented SWPPP in violation of General Permit requirements. QST has failed to evaluate the effectiveness of its BMPs and to revise its SWPPP as necessary, resulting in the Facility's numerous effluent limitation violations.

Each day the Owners/Operators failed to develop and implement an adequate SWPPP is a violation of the General Permit. The SWPPP violations described above were at all times in violation of Section A of the 1997 General Permit, and Section X of the 2015 General Permit. The Owners/Operators have been in violation of these requirements at the Facility every day since at least November 21, 2011.

**6. QST's Aerial Deposition Containing Pollutants Enters Storm Drains and Surface Waters Without NPDES Coverage.**

Pollution entering surface waters via air deposition is also recognized as a significant cause of degradation of water quality. Such discharges of pollutants from industrial facilities contribute to the impairment of downstream waters and aquatic dependent wildlife. Information available to CSPA indicates that outdoor industrial operations at the Facility create dust and particulate matter from, as two examples only, high-volume traffic and sanding and sawing steel. These activities lack containment or secondary containment. And have been ongoing since at least 2009. This dust and particulate matter migrates to surface waters and/or the storm drain system of Sonoma County.

**III. Persons Responsible for the Violations**

CSPA puts QST on notice that it is the entity responsible for the violations described above. If additional persons are subsequently identified as also being responsible for the violations set forth above, CSPA puts QST on formal notice that it intends to include those persons in this action.



#### **IV. Name and Address of Noticing Party**

The name, address, and telephone number of the noticing party is as follows:

Bill Jennings, Executive Director  
California Sportfishing Protection Alliance  
3536 Rainier Ave,  
Stockton, CA 95204  
(209) 464-5067  
www.calsport.org

#### **V. Counsel**


CSPA has retained legal counsel to represent it in this matter. Please direct all communications to:

Jason R. Flanders  
AQUA TERRA AERIS (ATA) LAW GROUP  
828 San Pablo Ave, Ste. 115B  
Albany, CA 94706  
(916) 202-3018  
jrf@atalawgroup.com

#### **VI. Conclusion**

CSPA believes this Notice of Violations and Intent to File Suit sufficiently states grounds for filing suit. We intend to file a citizen suit under Section 505(a) of the CWA against Quality Stainless Tanks and its agents for the above-referenced violations upon the expiration of the 60-day notice period. If you wish to pursue remedies in the absence of litigation, we suggest that you initiate those discussions within the next twenty (20) days so that they may be completed before the end of the 60-day notice period. We do not intend to delay the filing of a complaint in federal court if discussions are continuing when that period ends.

Sincerely,



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Jason R. Flanders  
ATA Law Group  
Counsel for CSPA



**SERVICE LIST**

**VIA CERTIFIED MAIL**

Lisa Jackson, Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., N.W.  
Washington, D.C. 20460

Alexis Strauss, Acting Administrator  
U.S. Environmental Protection Agency  
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Thomas Howard, Executive Director  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812

Matthias St John, Executive Officer North  
Coast Regional Water Quality Control  
Board 5550 Skylane Blvd, Ste A  
Santa Rosa, CA 95403-1072

**EXHIBIT A**

Rain Data from Sonoma Airport

11-20-2011 - 11-18-2016

Days with Precipitation over .1

<b>Date</b>	<b>Precipitation (Inches)</b>
11/23/2011	0.26
11/24/2011	0.58
12/15/2011	0.18
1/19/2012	0.86
1/20/2012	2.77
1/21/2012	0.24
1/22/2012	1.84
1/23/2012	1.26
2/7/2012	0.66
2/12/2012	0.24
2/28/2012	0.3
2/29/2012	0.46
3/1/2012	0.17
3/13/2012	2.35
3/14/2012	0.42
3/15/2012	0.12
3/16/2012	1.17
3/24/2012	0.87
3/25/2012	0.11
3/27/2012	1.67
3/31/2012	0.44
4/10/2012	0.61
4/12/2012	0.94
4/13/2012	0.39
5/3/2012	0.13
10/22/2012	1.13
10/23/2012	0.23
10/31/2012	0.86
11/16/2012	0.9
11/17/2012	1.12
11/20/2012	1.08
11/28/2012	1.27
11/29/2012	1.62
11/30/2012	2.17
12/1/2012	1.12
12/2/2012	1.67
12/4/2012	0.71
12/5/2012	0.31
12/15/2012	0.12
12/16/2012	0.37
12/17/2012	0.21
12/20/2012	0.39
12/21/2012	2.55
12/22/2012	0.59



<b>Date</b>	<b>Precipitation (Inches)</b>
12/23/2012	2.37
12/25/2012	0.65
12/26/2012	0.51
1/5/2013	0.44
1/23/2013	0.4
2/19/2013	0.17
3/5/2013	0.37
3/6/2013	0.52
3/19/2013	0.13
3/20/2013	0.41
3/31/2013	0.96
4/4/2013	0.94
5/27/2013	0.16
6/24/2013	0.24
6/25/2013	1.14
9/20/2013	0.16
9/21/2013	0.24
11/19/2013	0.74
11/20/2013	0.32
12/6/2013	0.41
2/2/2014	0.63
2/5/2014	0.3
2/6/2014	0.54
2/7/2014	1.42
2/8/2014	3.46
2/9/2014	0.74
2/26/2014	1.56
2/28/2014	0.67
3/3/2014	0.38
3/5/2014	0.37
3/26/2014	0.32
3/29/2014	0.49
3/31/2014	0.67
4/1/2014	0.48
4/4/2014	0.14
9/18/2014	0.1
9/25/2014	0.12
9/26/2014	0.55
10/15/2014	0.11
10/25/2014	0.15
10/31/2014	0.24
11/13/2014	0.1
11/19/2014	0.36
11/20/2014	0.3
11/22/2014	0.1
11/28/2014	0.14
11/29/2014	0.28
11/30/2014	0.42
12/2/2014	0.69
12/3/2014	1.25

<b>Date</b>	<b>Precipitation (Inches)</b>
12/5/2014	0.63
12/8/2014	0.12
12/9/2014	0.13
12/10/2014	1.32
12/11/2014	4.66
12/12/2014	0.41
12/14/2014	0.1
12/15/2014	2.31
12/16/2014	1.12
12/17/2014	0.29
12/18/2014	0.18
12/19/2014	0.78
12/20/2014	0.33
2/6/2015	2.62
2/8/2015	1.31
2/9/2015	0.23
4/5/2015	0.18
4/6/2015	0.1
4/7/2015	0.65
4/24/2015	0.46
9/16/2015	0.41
11/1/2015	0.18
11/2/2015	0.26
11/9/2015	0.49
11/15/2015	0.43
11/24/2015	0.11
12/3/2015	0.82
12/4/2015	0.12
12/6/2015	0.85
12/9/2015	0.43
12/10/2015	0.56
12/12/2015	0.2
12/13/2015	0.88
12/18/2015	0.73
12/19/2015	0.1
12/20/2015	0.69
12/21/2015	1.16
12/22/2015	0.14
12/24/2015	0.21
1/3/2016	0.32
1/4/2016	0.4
1/5/2016	1.04
1/6/2016	2.55
1/7/2016	0.12
1/9/2016	0.31
1/12/2016	0.1

<b>Date</b>	<b>Precipitation (Inches)</b>
1/13/2016	0.82
1/14/2016	0.61
1/15/2016	0.27
1/16/2016	0.5
1/17/2016	1.17
1/19/2016	1.51
1/22/2016	0.52
1/23/2016	0.11
1/29/2016	0.26
2/17/2016	0.45
2/18/2016	0.15
2/19/2016	0.11
3/3/2016	0.15
3/4/2016	0.28
3/5/2016	2.33
3/6/2016	0.73
3/7/2016	0.24
3/9/2016	0.27
3/10/2016	1.58
3/11/2016	1.28
3/12/2016	0.32
3/13/2016	0.82
3/20/2016	0.67
3/21/2016	0.32
4/9/2016	0.29
4/13/2016	0.2
4/22/2016	0.7
5/7/2016	0.11
6/17/2016	0.14
10/2/2016	0.15
10/3/2016	0.12
10/14/2016	0.54
10/15/2016	0.66
10/16/2016	0.14
10/24/2016	1.76
10/25/2016	0.85
10/28/2016	0.99
10/29/2016	0.28
10/30/2016	1.21
10/31/2016	0.34



